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NOV 21 2006

OFFICE OF PETITIONS

| | |
|----------------------------|--------------------------|
| In re | : |
| Michael S. Pazar | : DECISION REGARDING |
| Application No. 10/633,056 | : PATENT TERM ADJUSTMENT |
| Filed: July 31, 2003 | : AND NOTICE OF INTENT |
| Patent No. 7,131,237 | : TO ISSUE CERTIFICATE |
| Issued: November 7, 2006 | : OF CORRECTION |

This decision is in response to the "REQUEST FOR REVIEW OF PATENT TERM ADJUSTMENT", filed September 1, 2006, requesting correction of the patent term adjustment (PTA) indicated on the patent.

The request is **GRANTED**.

The patent term adjustment indicated on the patent is to be corrected by issuance of a certificate of correction showing a revised Patent Term Adjustment of **one hundred thirty-four (134)** days.

The Office determined a patent term adjustment of one hundred thirty-six (136) days based on an adjustment for PTO delay of two (2) days and one hundred thirty-six (136) days pursuant to 35 U.S.C. 154(b)(1)(A)(ii) and 37 C.F.R. § 1.703(a)(2), reduced by two (2) days of applicant delay pursuant to 35 U.S.C. 154(b)(2)(C)(iii) and 37 C.F.R. § 1.704(b).

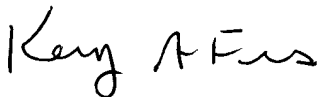
A review of the record indicates that the Office should not have been assessed two (2) days of delay in mailing an Office action on September 8, 2004. The Office action was mailed in response to an amendment filed on June 4, 2004. As such, the Office action was timely mailed within four months. Accordingly, no PTO delay should have been assessed for this mailing.

In view thereof, the correct determination of PTA is one hundred thirty-four (134) days (136 days of PTO delay, reduced by 2 days of applicant delay).

No fee has been charged. The Office thanks applicant for his good faith and candor in bringing this matter to the Office's attention.

The matter is being forwarded to the Certificates of Correction Branch for issuance of a certificate of correction in order to rectify the error regarding the patent term information. See 35 U.S.C. § 254 and 37 C.F.R. § 1.322. The certificate of correction will indicate that the term of the above-identified patent is extended or adjusted by **one hundred thirty-four (134)** days, subject to any disclaimers.

Telephone inquiries specific to this letter should be directed to Cliff Congo, Petitions Attorney, at (571)272-3207.



Kery Fries
Senior Legal Advisor
Office of Patent Legal Administration
Office of Deputy Commissioner
for Patent Examination Policy

Enc: draft Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE
DRAFT CERTIFICATE OF CORRECTION

PATENT : 7,131,237 B2

DATED : November 7, 2006

INVENTOR(S) : Michael S. Pazar

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by (136) days

Delete the phrase “by 136 days” and insert – by 134 days—

Day : Tuesday
Date: 11/21/2006

Time: 10:24:06

 **PALM INTRANET****PTA Calculations for Application: 10/633056**

| | | | |
|--------------------------|------------|-------------------------|-----|
| Application Filing Date: | 07/31/2003 | PTO Delay (PTO): | 138 |
| Issue Date of Patent: | 11/07/2006 | Three Years: | 0 |
| Pre-Issue Petitions: | 0 | Applicant Delay (APPL): | 2 |
| Post-Issue Petitions: | 0 | Total PTA (days): | 134 |
| PTO Delay Adjustment: | -2 | | |

File Contents History

| Number | Date | Contents Description | PTO | APPL | START |
|--------|------------|---|-----|------|-------|
| 55 | 11/21/2006 | ADJUSTMENT OF PTA CALCULATION BY PTO | | 2 | |
| 51.5 | 10/18/2006 | PTA 36 MONTHS | | | |
| 51 | 11/07/2006 | PATENT ISSUE DATE USED IN PTA CALCULATION | | | |
| 50 | 10/12/2006 | EXPORT TO FINAL DATA CAPTURE | | | |
| 49 | 10/11/2006 | DISPATCH TO FDC | | | |
| 48 | 09/11/2006 | FINISHED INITIAL DATA CAPTURE | | | |
| 47 | 09/11/2006 | APPLICATION IS CONSIDERED READY FOR ISSUE | | | |
| 46 | 09/01/2006 | STATEMENT FILED INDICATING A LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS | | | |
| 45 | 09/01/2006 | ISSUE FEE PAYMENT VERIFIED | | | |
| 44 | 09/01/2006 | ISSUE FEE PAYMENT RECEIVED | | | |
| 43 | 08/04/2006 | EXPORT TO INITIAL DATA CAPTURE | | | |
| 42 | 07/31/2006 | MAIL NOTICE OF ALLOWANCE | 136 | | 34 |
| 41 | 07/20/2006 | ISSUE REVISION COMPLETED | | | |
| 40 | 07/20/2006 | NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED | | | |
| 39 | 07/20/2006 | NOTICE OF ALLOWABILITY | | | |
| 38 | 12/10/2004 | INFORMATION DISCLOSURE STATEMENT CONSIDERED | | | |
| 37 | 12/10/2004 | REFERENCE CAPTURE ON IDS | | | |
| 36 | 12/10/2004 | INFORMATION DISCLOSURE STATEMENT (IDS) FILED | | 0 | 24 |
| 35 | 12/03/2005 | DATE FORWARDED TO EXAMINER | | | |
| 34 | 11/17/2005 | RESPONSE AFTER NON-FINAL ACTION | | | |
| 33 | 08/18/2005 | MAIL NON-FINAL REJECTION | | | |
| 32 | 08/16/2005 | NON-FINAL REJECTION | | | |

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|----|------------|--|---|---|----|
| 31 | 06/11/2005 | DATE FORWARDED TO EXAMINER | | | |
| 30 | 05/26/2005 | RESPONSE AFTER NON-FINAL ACTION | | | |
| 29 | 05/19/2005 | REFERENCE CAPTURE ON IDS | | | |
| 28 | 05/19/2005 | INFORMATION DISCLOSURE STATEMENT (IDS) FILED | | | |
| 27 | 03/02/2005 | MAIL NON-FINAL REJECTION | | | |
| 26 | 02/25/2005 | NON-FINAL REJECTION | | | |
| 25 | 12/28/2004 | DATE FORWARDED TO EXAMINER | | | |
| 24 | 12/10/2004 | RESPONSE AFTER NON-FINAL ACTION | | 2 | 22 |
| 23 | 12/10/2004 | WORKFLOW INCOMING AMENDMENT IFW | | | |
| 22 | 09/08/2004 | MAIL NON-FINAL REJECTION | 2 | | 16 |
| 21 | 09/07/2004 | NON-FINAL REJECTION | | | |
| 20 | 07/31/2003 | CLAIMS PTO | | | |
| 19 | 12/15/2003 | PRELIMINARY AMENDMENT | | | |
| 18 | 07/31/2003 | PRELIMINARY AMENDMENT | | | |
| 17 | 06/14/2004 | DATE FORWARDED TO EXAMINER | | | |
| 16 | 05/06/2004 | RESPONSE TO ELECTION / RESTRICTION FILED | | | |
| 15 | 06/04/2004 | WORKFLOW INCOMING AMENDMENT IFW | | | |
| 14 | 05/06/2004 | MAIL RESTRICTION REQUIREMENT | | | |
| 13 | 05/03/2004 | REQUIREMENT FOR RESTRICTION / ELECTION | | | |
| 12 | 04/02/2004 | CASE DOCKETED TO EXAMINER IN GAU | | | |
| 11 | 03/22/2004 | CASE DOCKETED TO EXAMINER IN GAU | | | |
| 10 | 02/26/2004 | IFW TSS PROCESSING BY TECH CENTER COMPLETE | | | |
| 9 | 02/23/2004 | CASE DOCKETED TO EXAMINER IN GAU | | | |
| 8 | 10/29/2003 | APPLICATION RETURN FROM OIPE | | | |
| 7 | 10/29/2003 | APPLICATION RETURN TO OIPE | | | |
| 6 | 10/29/2003 | APPLICATION DISPATCHED FROM OIPE | | | |
| 5 | 10/29/2003 | APPLICATION IS NOW COMPLETE | | | |
| 4 | 10/16/2003 | CASE CLASSIFIED BY L&R | | | |
| 3 | 10/16/2003 | CLEARED BY OIPE CSR | | | |
| 2 | 09/17/2003 | IFW SCAN & PACR AUTO SECURITY REVIEW | | | |
| 1 | 07/31/2003 | INITIAL EXAM TEAM NN | | | |

Search Another: Application#

EXPLANATION OF PTA CALCULATION

EXPLANATION OF PTE CALCULATION